

MINUTES

UTAH OCCUPATIONAL THERAPY LICENSING BOARD MEETING

February 27, 2007

**Room 475 – 4th Floor – 9:00 A.M.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah**

CONVENED: 9:14 A.M.

ADJOURNED: 9:55 A.M.

**Bureau Manager:
Board Secretary:**

Noel Taxin
Karen McCall

Board Members Present:

Noni Smith
Brenda K. Lyman
Shari Bloom, PA-C
M. Carol O'Meara, Chairperson

Board Members Absent:

Bonnie P. Held

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Read and approve the October 18, 2006 Minutes.

Ms. Bloom made a motion to approve the minutes as read. Ms. Lyman seconded the motion. **The Board vote was unanimous.**

Ms. Taxin commented that she is planning on suggesting in her management meeting that the Division post unofficial minutes with a disclaimer of subject to change as there are many Boards that do not meet frequently. She stated that posting the unofficial minutes would give probationers and Board members the opportunity to review the information for any probationary requirements and corrections.

The board agreed that posting the unofficial minutes on the website would be beneficial to them.

APPOINTMENTS:

9:30 A.M.

W. Scott Crider, Probationary Interview

Mr. Crider met for his probationary interview.

Ms. Taxin commented that all Mr. Crider's reports have been received. She stated that all the reports are very supportive of Mr. Crider and document that he is professional with his co-workers, the patients and people he deals with. She stated that they all recommend termination of his probation.

Ms. Taxin stated that a Physical Therapist wrote a letter stating that he is of the opinion that the probation was not fair to Mr. Crider and he knows Mr. Crider has taken responsibility.

Ms. Bloom commented that there is a report from Judy Maynard, head of special education, regarding her supervision of Mr. Crider.

Ms. Taxin explained that Mr. Crider was unable to attend the last meeting and the Division/Board needs an update on what he is doing with the school system. She also stated that Mr. Crider's Stipulation and Order requires him to complete 20 hours of continuing education (CE) within 12 months of signing the Order. Ms. Taxin stated that Mr. Crider has completed 6 hours of CE in the area of sexual harassment. She asked him if he has any information for the Board review for approval of the remaining 14 hours.

Mr. Crider responded that he has located 2 courses that he would like reviewed and to get pre-approved. He stated that one class is for 9 CE's and covers the NADA Code of Ethics. He stated there is manual to read which covers sexual harassment and bio-ethics. He stated that there is a final examination at the conclusion of reading the manual with a certificate of completion.

Mr. Crider stated that the 2nd course is through the Medical Association for 10 CE's titled Health Care Law and Ethics. He explained that it will cover certification, confidentiality and consent, professional liability, medical records, ethics, employment law

(including ADA), sexual harassment, consumer protection law, bioethical issues, chain of custody, law cases and more. He stated that this is also a self study course with a final examination at the conclusion of reading the manual and a certificate of completion.

Ms. Taxin commented that the courses and syllabi sound very similar. She stated that she approved a 4 hour course for another probationer and offered to give Mr. Crider the information. She explained that the course title is Ethics: Boundaries and Dual Relationships and is more for mental health therapy and the objectives are as follows:

- 1. Understand ethical theory, ethical principles and ethical process.**
- 2. Raise awareness of the nature of an ethical dilemma.**
- 3. Develop skills in identifying an ethical dilemma.**
- 4. Define and explain boundaries, both boundary crossings and boundary violations.**
- 5. Define and explain dual relationships (sometimes called multiple relationships).**
- 6. Articulate ethical principles with regard to boundary and dual relationship issues.**
- 7. Discuss virtue theory as it applies to boundaries and dual relationships.**
- 8. Discern ethical dilemmas around boundaries and dual relationships.**
- 9. Think clearly to ethical resolution.**
- 10. Raise self-awareness concerning boundaries and dual relationships.**
- 11. Think through ethical responses to cases presented.**

Ms. Taxin stated that the course appears to address issues parallel to his probation violation and in combination with one of the classes he found might meet his needs better.

Mr. Crider agreed.

Ms. Smith made a motion to approve the Health Care Law and Ethics course for 10 CE hours and the Ethics: Boundaries and Dual Relationships course for 4 CE hours. Ms. Lyman seconded the

motion. The Board vote was unanimous.

Ms. Taxin asked Mr. Crider to explain his situation with the school system.

Mr. Crider explained that he was working in the school system through a contract with the hospital. He stated that he goes out to the schools twice a week for the entire day for regular treatment and evaluations for students and the District. Mr. Crider stated that he works at 3 elementary schools, 2 middle schools and the 1 high school.

He stated that he has now approached the School District for his own contract and they are currently considering his proposal.

Ms. O'Meara asked if Mr. Crider is comfortable in the school setting.

Mr. Crider responded that he is comfortable in the school setting.

He shared with the Board a letter from NBCOT regarding NBCOT doing their own investigation regarding his issues and probation. Mr. Crider read the letter to the Board which stated that upon investigating the issues, NBCOT determined there was insufficient evidence that Mr. Crider violated the NBCOT Code of Conduct and have decided not to drop his NBCOT registration.

Ms. Taxin commented that she had contacted NBCOT and discussed Mr. Crider's issues with them and she also wrote a letter to NBCOT.

Mr. Crider stated that the Hospital has requested him to sit on the Board of Ethics. He stated that the Board has been assigned the task of writing policies on ethics for the hospital.

Ms. Taxin stated that when Mr. Crider completes the CE then he will have completed all the Stipulation and Order requirements except the time frame. Ms. Taxin suggested Mr. Crider attend the July 25, 2007 meeting with reports from his supervisors and separate letters regarding their

recommendations for early termination and a statement regarding his appointment to serve on the hospital ethics committee. She stated that Mr. Crider will need to complete the CE and submit the documentation of completion. She stated that he may prepare a letter for the Board requesting early termination, what he has learned from the CE and from his experience.

An appointment was made for Mr. Crider to meet again July 25, 2007.

DISCUSSION ITEMS:

FYI

Ms. Taxin informed the Board of the retirement of Craig Jackson, Division Director, and the appointment of F. David Stanley as Division Director.

The Board noted the information.

Review New Rules

Ms. Taxin stated that Ms. Held attended the hearing on the new Rules. She explained that the Rules were changed to eliminate the requirement of the Utah Laws and Rules Examination. Ms. Taxin distributed a copy of the new Rules to the Board and stated that the Rules became effective February 22, 2007.

Ms. Taxin stated that Ms. Held commented that the Board might want to include some questions regarding the Laws and Rules in the Application. She stated that Ms. Held was going to present some questions for the Board to review today.

Ms. Taxin stated that there may be some changes at the Legislative session that will affect the Division requiring the applicant's signature that they have read the Laws and Rules. She stated that questions in the application might be a way to test their knowledge of the Laws and Rules if they cannot sign that they have read them.

Review Laws and Rules Questions to be included in the Application

Ms. Taxin recommended each Board member bring a list of questions to the July meeting.

Ms. Lyman asked what Ms. Taxin's policy is if an applicant does not answer all the questions correctly.

Ms. Taxin responded that the application is incomplete and a letter goes out to notify the applicant that they have failed and must retake the examination. She stated that a new examination is sent with the letter.

Ms. Taxin stated that taking out the requirement of the Laws and Rules examination has applicants less confused. She stated that the Board may have to rethink having a formal examination if the profession starts having a lot of probationers. Ms. Taxin stated that having questions in the application will require applicants to look up information to find the answers which will hopefully create awareness regarding the Laws and Rules.

Ms. Lyman asked what type of questions Ms. Taxin is looking for.

Ms. Taxin responded that the questions may be true or false, a, b, c, d answers or very short answers in order for the staff to review quickly. Ms. Taxin asked each Board member to bring 5 questions to the next Board meeting. She stated that the Board may want to change the questions each year.

2007 Board Meeting Schedule

The Board noted the following dates for the 2007 Board meeting schedule: Wednesday, July 25 and Tuesday, November 27, 2007.

CORRESPONDENCE:

AOTA Correspondence

The Board reviewed the following AOTA correspondence:

1. Model Occupational Therapy Practice Act. **Board members requested a copy of the Model Practice Act. A copy was made and given to each Board member.**
2. October 2006 Newsletter. **No Board action taken.**
3. January 2007 Newsletter. **No Board action taken.**
4. 2007 Examination Handbook. **Ms. Lyman asked if the Division purchases the Examination Handbook each year or if a complimentary issue is sent for the Board.** Ms. Taxin responded that she was not sure but

will check and get back to Ms. Lyman. **Ms. Lyman commented that being a member of AOTA should allow the Division to receive all their information and journals.**

NEXT MEETING SCHEDULED FOR: Wednesday, July 25, 2007

MEETING ADJOURNED AT: 9:55 A.M.

November 27, 2007
Date Approved

(ss) M. Carol O'Meara
Chairperson, Utah Occupational Therapy Licensing Board

March 6, 2007
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational & Professional Licensing